

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of rulemaking to adopt Rule  
25-6.0424, F.A.C., Petition for Mid-Course  
Correction.

DOCKET NO. 100084-EI  
ORDER NO. PSC-10-0420-FOF-EI  
ISSUED: July 1, 2010

The following Commissioners participated in the disposition of this matter:

NANCY ARGENZIANO, Chairman  
LISA POLAK EDGAR  
NATHAN A. SKOP  
DAVID E. KLEMENT  
BEN A. "STEVE" STEVENS III

NOTICE OF ADOPTION OF RULE

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has adopted without changes Rule 25-6.0424, Florida Administrative Code, Petition for Mid-Course Correction.

The rule was filed with the Department of State on June 29, 2010 and will be effective on July 19, 2010. A copy of the rule as filed with the Department is attached to this Notice.

This docket is closed upon issuance of this Notice.

By ORDER of the Florida Public Service Commission this 1st day of July, 2010.



ANN COLE  
Commission Clerk

( S E A L )

KC

DOCUMENT NUMBER-DATE  
05425 JUL-1 2010  
FPSC-COMMISSIONER OF EI

25-6.0424 Petition for Mid-Course Correction

(1) To request a mid-course correction to the fuel cost recovery or capacity cost recovery factors, a utility shall file a petition for mid-course correction which shall contain the following information:

(a) The estimated percentage of year-end over-recovery or under-recovery calculated using the estimated End-of-Period Total Net True-up divided by the current period's total actual and estimated Jurisdictional Fuel Revenue Applicable to Period. The estimated End-of-Period Total Net True-up consists of the difference between estimated and actual prior-period net true-ups, plus the estimated current-period monthly over/under-recoveries, plus the estimated current-period interest. The total actual and estimated Jurisdictional Fuel Revenue Applicable to Period consists of the best estimate of reprojected revenues for the period using the current cost recovery factor. The appropriate method to determine the over-recovery or under-recovery percentage for capacity costs is to make a similar percent calculation using up-to-date capacity cost recovery revenue and true-up amounts.

(b) The appropriate schedules from Form PSC/ECR 009-E (07/10) reflecting the estimated End-of-Period Total Net True-up based upon current cost recovery factors and revised fuel expenses. For a fuel mid-course correction, schedules E1 through E10 shall be filed. For a capacity mid-course correction, schedules E12-A through E12-E shall be filed. Form PSC/ECR 009-E (07/10), incorporated by reference in this rule and entitled "Mid-Course Correction Schedules," may be obtained from the Commission's Division of Economic Regulation.

(2) In the event that the absolute value of the over-recovery or under-recovery either for fuel cost recovery or capacity cost recovery is 10 percent or greater, the utility shall promptly

notify the Commission by letter delivered to the Director of the Division of Economic Regulation. The notification of a 10 percent or greater estimated over-recovery or under-recovery shall include a petition for mid-course correction to the fuel cost recovery or capacity cost recovery factors, or shall include an explanation of why a mid-course correction is not practical. This section in no way precludes a utility from requesting a mid-course correction prior to reaching the 10 percent threshold requiring Commission notification.

(3) When filing a petition for mid-course correction to the fuel cost recovery or capacity cost recovery factors, a utility shall file 10 copies of the petition with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, and an electronic copy with the Director of the Division of Economic Regulation at ECR@psc.state.fl.us. The Director of the Division of Economic Regulation shall be the designee of the Commission for purposes of determining whether the utility has met the minimum filing requirements imposed by this rule. Rulemaking Authority 350.127(2), 366.06(1)FS. Law Implemented 366.041, 366.05(1), 366.06(1), 366.076. History—New 07-19-10.